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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/717,513	11/21/2000	Bjorn Markus Jakobsson	Jakobsson-37	2063
27550	7590	08/24/2004	EXAMINER	
WALTER J, TENCZA JR. 10 STATION PLACE, SUITE 3 METUCHEN, NJ 08840			PARTHASARATHY, PRAMILA	
			ART UNIT	PAPER NUMBER
			2136	

DATE MAILED: 08/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/717,513

Applicant(s)

JAKOBSSON, BJORN MARKUS

Examiner

Pramila Parthasarathy

Art Unit

2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to request for reconsideration filed on May 05, 2004. Original application contained Claims 1 – 25. Applicant has amended Claims 1, 14, 19, 20, 22, and 25. No Claims were canceled. Therefore, presently pending claims are 1 – 25.

Response to Arguments

2. Applicant's arguments filed on May 05, 2004, have been fully considered but they are not persuasive for the following reasons:

Regarding independent amended claims 1, 14, 19, and 25, applicant argued that the cited prior art (CPA) [Dreifus U.S. Patent 4,575,621] does not teach, "the first device exchange key with the second device while the first device and the second device are in the enclosure and while the enclosure is sealed". This argument is not found persuasive. Dreifus clearly teaches a method to allow two devices to communicate with each other to transfer information including exchanging keys in a secure environment (Dreifus Column 2 line 26 – Column 3 line 36 and Column 16 line 7 – Column 18 line 50). Applicant argued that CPA does not disclose "sealing the terminal after the card 2 is inserted", however, Reidinger et al. (U.S. Patent 4,915,222) teaches a protective container with a filling material which protects devices from electrostatic voltage

discharges and from electromagnetic radiation, that can hold two devices to be sealed for additional protection (Reidinger Column 2 line 63 – Column 3 line 15 and Column 4 lines 11 – 51). The new prior art can be logically combined with the previous prior art rejection of Dreifus to protect two devices from electromagnetic radiation and to provide secure environment, thus preventing the intruder from gaining access to the information while the two devices are transmitting data and exchanging keys.

Regarding independent amended claim 22, applicant argued that the cited prior art (CPA) [Dreifus U.S. Patent 4,575,621 and Madsen et al. U.S. Patent Number 6,181,284] do not disclose “a portable device locates a second device and performs a key exchange with the second device via a wireless channel”. This argument is not found persuasive. Dreifus clearly teaches a method to allow two devices to communicate with each other to transfer information including exchanging keys in a secure environment (Dreifus Column 2 line 26 – Column 3 line 65 and Column 16 line 7 – Column 18 line 50 and Madsen Column 6 lines 42 – 51; Column 8 lines 1 – 24).

Applicant has failed to explicitly identify specific claim limitations, which would define a patentable distinction over prior arts. Therefore, the examiner respectfully asserts that CPA does teach or suggest the subject matter broadly recited in independent claims 1, 14, 19, 22 and 25. Dependent claims 2 – 13, 15 – 18, 20, 21, 23, and 24 are also rejected at least by virtue of their dependency on independent claims

and by other reason set forth in this office action. Accordingly, rejections for claims 1 – 25 are respectfully maintained.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1, 14, 19, 20, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dreifus (U.S. Patent Number 4,575,621 hereinafter “Dreifus”) in view of Reidinger et al. (Patent Number 4,915,222 hereinafter “Reidinger”).

Regarding Claim 1, Dreifus teaches and describes a method comprising:

placing a first device in an enclosure (Dreifus Fig. 8A, 8B, 8C and Column 16 lines 7 – 29);

placing a second device in the enclosure (Dreifus Fig. 8A, 8B, 8C and Column 16 lines 7 – 29);

removing the first device and the second device from the enclosure after the key exchange (Dreifus Fig. 8A #2); and

using the key to allow the first device and the second device to communicate with each other using methods of encryption outside the enclosure (Dreifus Column 10 lines 43 – 57 and Column 18 lines 40 – 49).

Dreifus discloses sealing the enclosure (Dreifus Column 3 lines 18 – 25); and after sealing the enclosure, causing the first device to exchange a key with the second device (Dreifus Column 3 lines 59 – 66 and Column 16 lines 30 – 44). Dreifus does not explicitly disclose sealing the enclosure while the first device and the second device are in the enclosures and that causing the first device to exchange a key with the second device while the first device and the second device are in the enclosure and while the enclosure is sealed. However, Reidinger discloses a protective container with two devices that will be sealed, which provides electromagnetic protection, and to prevent the destruction of the “Faraday cage” effect provided by the shielding bag (Reidinger Fig. 1B, 4, 7; Column 2 line 63 – Column 3 line 15). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teaching of Reidinger into the teachings of Dreifus to place the two devices in a sealed enclosure as taught by Reidinger to exchange a key between those two devices and thereby preventing the unauthorized access and use of data. The modification would have been obvious to provide protection from electromagnetic radiation and secure environment, thus preventing the intruder from gaining access to the information while the two devices are transmitting data and exchanging keys.

Regarding Claim 14, Dreifus teaches and describes a method comprised of the steps of:

placing a first device into an enclosure (Dreifus Fig. 8A and Column 16 lines 7 – 29);

connecting the first device to a transmitter, wherein the transmitter is connected to a first end of a cord device the first end of the cord device being inside the enclosure (Dreifus Fig. 8B, 8C and Column 16 lines 46 – 58);

wherein the cord device has a second end which is outside the enclosure (Dreifus Fig. 8B, 8C and Column 16 lines 46 – 58); and wherein

the method further is comprised of connecting a second device, which lies outside the enclosure, to the second end of the cord device (Dreifus Fig. 8B, 8C and Column 16 lines 46 – 58); and

after connecting the first device to the first end of the cord device and after connecting the second device to the second end of the cord device, causing the first device to exchange a key with the second device while the first device is in the sealed enclosure (Dreifus Column 3 lines 59 – 66 and Column 16 lines 30 – 44);

removing the first device from the enclosure after the key exchange (Dreifus Column 4 lines 12 – 35; Column 11 lines 20 - 27 and Column 16 lines 13 – 45); and

using the key to allow the first device and the second device to communicate with each other using methods of encryption with the first device outside of the enclosure

(Dreifus Column 5 lines 15 – 23; Column 9 lines 17 – 27; Column 10 lines 43 – 57 and Column 18 lines 40 – 49.

Dreifus discloses sealing the enclosure (Dreifus Column 3 lines 18 – 25); and after sealing the enclosure, causing the first device to exchange a key with the second device (Dreifus Column 3 lines 59 – 66 and Column 16 lines 30 – 44). Dreifus does not explicitly disclose sealing the enclosure while the first device is in the enclosure and while the first device is connected to the transmitter. However, Reidinger discloses a protective container with two devices that will be sealed, which provides electromagnetic protection, and to prevent the destruction of the “Faraday cage” effect provided by the shielding bag (Reidinger Fig. 1B, 4, 7; Column 2 line 63 – Column 3 line 15). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teaching of Reidinger into the teachings of Dreifus to place the two devices in a sealed enclosure as taught by Reidinger to exchange a key between those two devices and thereby preventing the unauthorized access and use of data. The modification would have been obvious to provide protection from electromagnetic radiation and secure environment, thus preventing the intruder from gaining access to the information while the two devices are transmitting data and exchanging keys.

Regarding Claim 19, Dreifus teaches and describes an apparatus comprising:
means for causing a first device to exchange a key with a second device (Dreifus Column 3 lines 59 – 66 and Column 16 lines 30 – 44);

means for preventing a third device from determining a key which is exchanged between the first device and the second device (Dreifus Column 3 lines 18 – 34), and

wherein the means for preventing the third device from determining the key is comprised of an enclosure having a filtering material (Dreifus Column 4 lines 11 – 17, Column 6 lines 48 – 62, Column 11 lines 20 – 27 and Column 17 lines 60 – 66).

Dreifus discloses sealing the enclosure (Dreifus Column 3 lines 18 – 25); and after sealing the enclosure, causing the first device to exchange a key with the second device (Dreifus Column 3 lines 59 – 66 and Column 16 lines 30 – 44). Dreifus does not explicitly disclose wherein the enclosure is adapted to that it can completely surround both the first device and the second device in order to prevent the third device from determining the key. However, Reidinger discloses a protective container with two devices that will be sealed, which provides electromagnetic protection, and to prevent the destruction of the “Faraday cage” effect provided by the shielding bag (Reidinger Fig. 1B, 4, 7; Column 2 line 63 – Column 3 line 15). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teaching of Reidinger into the teachings of Dreifus to place the two devices in a sealed enclosure as taught by Reidinger to exchange a key between those two devices and thereby preventing the unauthorized access and use of data. The modification would have been obvious to provide protection from electromagnetic radiation and secure environment, thus preventing the intruder from gaining access to the information while the two devices are transmitting data and exchanging keys.

Regarding Claim 25, Dreifus teaches and describes a method comprising:

placing a first device in an enclosure (Dreifus Fig. 8A, 8B, 8C and Column 16 lines 7 – 29);

placing a second device in the enclosure (Dreifus Fig. 8A, 8B, 8C and Column 16 lines 7 – 29);

removing the first device and the second device from the enclosure after the key exchange (Dreifus Fig. 8A #2); and

using the key to allow the first device and the second device to communicate with each other using methods of authentication outside the enclosure (Dreifus Column 10 lines 43 – 57 and Column 18 lines 40 – 49).

Dreifus discloses sealing the enclosure (Dreifus Column 3 lines 18 – 25); and after sealing the enclosure, causing the first device to exchange a key with the second device (Dreifus Column 3 lines 59 – 66 and Column 16 lines 30 – 44). Dreifus does not explicitly disclose sealing the enclosure while the first device and the second device are in the enclosures and that causing the first device to exchange a key with the second device while the first device and the second device are in the enclosure and while the enclosure is sealed. However, Reidinger discloses a protective container with two devices that will be sealed, which provides electromagnetic protection, and to prevent the destruction of the “Faraday cage” effect provided by the shielding bag (Reidinger Fig. 1B, 4, 7; Column 2 line 63 – Column 3 line 15). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to

incorporate the teaching of Reidinger into the teachings of Dreifus to place the two devices in a sealed enclosure as taught by Reidinger to exchange a key between those two devices and thereby preventing the unauthorized access and use of data. The modification would have been obvious to provide protection from electromagnetic radiation and secure environment, thus preventing the intruder from gaining access to the information while the two devices are transmitting data and exchanging keys.

Claim 2 is rejected as applied above in rejecting claim 1. Furthermore, Dreifus teaches and describes a method comprising the step of:

using the key to allow the first device and the second device to communicate with each other using methods of authentication outside the enclosure (Dreifus Column 43 – 57 and Column 18 lines 40 –49).

Claim 3 is rejected as applied above in rejecting claim 1. Furthermore, Dreifus teaches and describes a method wherein

the first device is electronic (Dreifus Column 3 lines 16 – 25 and lines 59 – 67);
and
the second device is electronic (Dreifus Column 3 lines 16 – 25 and lines 59 – 67).

Claim 4 is rejected as applied above in rejecting claim 1. Furthermore, Dreifus and Reidinger teach and describe a method comprising first and second device transmit

and receive information to and from each other in a sealed enclosure (Dreifus Column 3 lines 59 – 66 and Column 16 lines 30 – 44). wherein

the enclosure is a plastic bag coated with a filtering material wherein the filtering material of the enclosure prevents electromagnetic radiation of a particular bandwidth from escaping from the enclosure (Reidinger Column 3 lines 9 – 15 and Column 5 line 57 – Column 6 line 20).

Claim 6 is rejected as applied above in rejecting claim 1. Furthermore, Dreifus teaches and describes a method comprising first and second device transmit and receive information to and from each other in a sealed enclosure (Dreifus Column 3 lines 59 – 66 and Column 16 lines 30 – 44). Dreifus does not explicitly disclose the enclosure is a container having sides comprised of a filtering material wherein the filtering material of the enclosure prevents electromagnetic radiation of a particular bandwidth from escaping from the enclosure. However, Reidinger discloses the enclosure is a container having sides comprised of a filtering material wherein the filtering material of the enclosure prevents electromagnetic radiation of a particular bandwidth from escaping from the enclosure (Reidinger Column 3 lines 9 – 15 and Column 5 line 57 – Column 6 line 20).

Claim 10 is rejected as applied above in rejecting claim 1. Furthermore, Dreifus teaches and describes a method wherein

the enclosure is comprised of a first and a second compartment (Dreifus Column 16 lines 7 – 23);

wherein the first and second compartment are separated by a separation device (Dreifus Column 16 lines 7 – 30); and

wherein the method further comprises placing the first device in the first compartment and the second device in the second compartment (Dreifus Column 16 lines 13 – 21).

Claim 15 is rejected as applied above in rejecting claim 14. Furthermore, Dreifus teaches and describes a method wherein

the cord device is comprised of an electrical cord (Dreifus Column 4 lines 55 – 64 and Column 6 lines 48 – 61).

Claim 16 is rejected as applied above in rejecting claim 14. Furthermore, Dreifus teaches and describes a method wherein

the cord device is comprised of an optical cable (Dreifus Column 16 lines 45 – 58).

Claim 20 is rejected as applied above in rejecting claim 19. Furthermore, Dreifus and Reidinger teach and describe a method wherein

the enclosure is adapted so that the first and second devices can be simultaneously placed into the enclosure and the enclosure can be sealed (Dreifus Column 16 lines 7 – 29 and Column 3 lines 18 – 25).

Claim 5 is rejected as applied above in rejecting claim 4. Furthermore, Dreifus and Reidinger teach and describe a method comprising first and second device transmit and receive information to and from each other in a sealed enclosure (Dreifus Column 3 lines 59 – 66 and Column 16 lines 30 – 44). Dreifus does not explicitly disclose that the filtering material is comprised of metal. However, Reidinger discloses a protective container with two devices that will be sealed, which provides electromagnetic protection, wherein the filtering material is comprised of metal (Reidinger Column 1 line 49 – Column 2 line 20).

Claim 11 is rejected as applied above in rejecting claim 10. Furthermore, Dreifus teaches and describes a method wherein

the separation device when closed prevents the first device from communicating with the second device (Dreifus Column 4 lines 29 – 38 and Column 16 lines 7 – 38);
and the separation device when opened allows the first device to communicate with the second device (Dreifus Column 4 lines 29 – 38, Column 16 lines 7 – 38 and Column 18 lines 40 – 49).

Claim 7 is rejected as applied above in rejecting claim 6. Furthermore, Dreifus teaches and describes a method comprising first and second device transmit and receive information to and from each other in a sealed enclosure (Dreifus Column 3 lines 59 – 66 and Column 16 lines 30 – 44). Dreifus does not explicitly teach that the filtering material is comprised of metal. However, Reidinger discloses a protective

container with two devices that will be sealed, which provides electromagnetic protection, wherein the filtering material is comprised of metal (Reidinger Column 1 line 49 – Column 2 line 20).

Claim 9 is rejected as applied above in rejecting claim 6. Furthermore, Dreifus teaches and describes a method comprising first and second device transmit and receive information to and from each other in a sealed enclosure (Dreifus Column 3 lines 59 – 66 and Column 16 lines 30 – 44). Dreifus does not explicitly teach that the enclosure is comprised of plastic and the filtering material is attached to the plastic. However, Reidinger discloses the enclosure is comprised of plastic and the filtering material is attached to the plastic (Reidinger Column 3 lines 9 – 15 and Column 5 line 57 – Column 6 line 20).

Claim 12 is rejected as applied above in rejecting claim 11. Furthermore, Dreifus teaches and describes a method comprising first and second device transmit and receive information to and from each other in a sealed enclosure (Dreifus Column 3 lines 59 – 66 and Column 16 lines 30 – 44). Dreifus does not explicitly teach that the separation device is comprised of a door which can be opened after the enclosure is sealed. However, Reidinger discloses that the separation device is composed of a door which can be opened after the enclosure is sealed (Reidinger Column 4 lines 11 – 51 and Column 4 line 67).

Claim 13 is rejected as applied above in rejecting claim 12. Furthermore, Dreifus teaches and describes a method comprising first and second device transmit and receive information to and from each other in a sealed enclosure (Dreifus Column 3 lines 59 – 66 and Column 16 lines 30 – 44). Dreifus does not explicitly teach that the separation device is comprised of a filtering material. However, the enclosure is a plastic bag coated with a filtering material wherein the filtering material of the enclosure prevents electromagnetic radiation of a particular bandwidth from escaping from the enclosure (Reidinger Column 3 lines 9 – 15 and Column 5 line 57 – Column 6 line 20).

4. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dreifus (U S Patent 4,575,621 hereinafter “Dreifus”) in view of Brothers et al. (U.S. Patent No. 5,799,083 hereinafter “Brothers”)

Claim 17 is rejected as applied above in rejecting claim 14. Furthermore, Dreifus teaches and describes a method comprising first and second device transmit and receive information to and from each other in a sealed enclosure (Dreifus Column 3 lines 59 – 66 and Column 16 lines 30 – 44). Dreifus does not explicitly disclose that the cord device is comprised of a radio transmitter. However, Brothers discloses a verification system transmitting information by number of means including radio (Brothers Column 9 lines 29 – 38). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement a method for

first and second device to exchange data in an enclosure as taught by Dreifus and to have the radio transmitter as taught by Brothers.

5. Claims 18 and 21 – 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dreifus (U S Patent 4,575,621 hereinafter “Dreifus”) in view of Reidinger et al. (Patent Number 4,915,222 hereinafter “Reidinger”) and further in view of Madsen et al. (U S. Patent No. 6,181,284 hereinafter “Madsen”).

Regarding Claim 22, Dreifus teaches and describes a portable device (Fig. 8A). Even when combined, Reidinger and Dreifus do not explicitly disclose that the transmitter is a Bluetooth transmitter. However, Madsen discloses a portable devices and a wireless communication system wherein the transmitter is a Bluetooth transmitter (Madsen Column 8 lines 1 – 24).

a port for physically and electronically connecting the portable device to a first device (Dreifus Fig. 8A, and Column 16 lines 7 – 29);

wherein in a first mode the Bluetooth transmitter of the portable device locates a second device and performs a key exchange with the second device (Madsen Column 6 lines 42 – 51; Column 8 lines 1 – 24 ; Dreifus Column 3 lines 5 – 65 and Column 16 lines 30 – 44);

and wherein in a second mode the port of the portable device is physically and electronically connected to a first device so that the portable device can communicate with the first device (Dreifus Fig. 8A and Column 16 lines 7 – 29); and wherein the

portable device communicates a key to the first device obtained from the key exchange with the second device (Madsen Column 6 lines 42 – 51 and Column 8 lines 1 – 24; Dreifus Column 3 lines 59 – 66 and Column 16 lines 30 – 44).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement a method for first and second device to exchange data in an enclosure as taught by Dreifus and Reidinger also to have the Bluetooth transmitter as taught by Madsen to provide wireless communication system as taught by Madsen. The motivation would have been to provide security for first and second device during key exchange with wireless communication for portable electronic devices.

Claim 18 is rejected as applied above in rejecting claim 14. Furthermore, Dreifus teaches and describes a method comprising first and second device transmit and receive information to and from each other in a sealed enclosure (Dreifus Column 3 lines 59 – 66 and Column 16 lines 30 – 44). Even when combined, Reidinger and Dreifus do not explicitly disclose that the transmitter is a Bluetooth transmitter. However, Madsen discloses a portable devices and a wireless communication system wherein the transmitter is a Bluetooth transmitter (Madsen Column 8 lines 1 – 24). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement a method for first and second device to exchange data in an enclosure as taught by Dreifus and Reidinger, also to have the Bluetooth transmitter as taught by Madsen to provide wireless communication system as taught by Madsen. The

motivation would have been to provide security for first and second device during key exchange with wireless communication for portable electronic devices.

Claim 21 is rejected as applied above in rejecting claim 19. Furthermore, Dreifus teaches and describes a method comprising first and second device transmit and receive information to and from each other in a sealed enclosure (Dreifus Column 3 lines 59 – 66 and Column 16 lines 30 – 44). Even when combined, Reidinger and Dreifus do not explicitly disclose that the first and second devices exchange the key in a wireless manner. However, Madsen discloses a portable devices and a wireless communication system wherein the first and second devices exchange the key in a wireless manner (Madsen Column 8 lines 1 – 24). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement a method for first and second device to exchange data in an enclosure as taught by Dreifus and to have the wireless communication as taught by Madsen. The motivation would have been to provide security for first and second device during key exchange with wireless communication for portable electronic devices.

Claim 23 is rejected as applied above in rejecting claim 22. Furthermore, Dreifus teaches and describes a method comprising first and second device transmit and receive information to and from each other (Dreifus Column 3 lines 59 – 66 and Column 16 lines 30 – 44). Dreifus does not explicitly disclose that the portable device is a PCMIA card which incorporates a Bluetooth transmitter; and the first device is a PCMIA

port. However, Madsen discloses a portable devices and a wireless communication system wherein the portable device is a PCMIA card which incorporates a Bluetooth transmitter; (Madsen Column 8 lines 1 – 24), and

the first device is a PCMIA port (Madsen Column 6 lines 52 – 60).

Claim 24 is rejected as applied above in rejecting claim 23. Furthermore, Dreifus teaches and describes a method comprising first and second device transmit and receive information to and from each other (Dreifus Column 3 lines 59 – 66 and Column 16 lines 30 – 44) wherein,

the portable device is in the shape of a floppy disc (Fig. 1 # 2), and

the first device is a disc drive which can be electrically connected to the portable device (Column 4 lines 55 – 64 and Column 6 lines 48 – 61). Dreifus does not explicitly disclose that the portable device incorporates a Bluetooth transmitter. However, Madsen discloses a portable devices and a wireless communication system wherein the portable device incorporates a Bluetooth transmitter; (Madsen Column 8 lines 1 – 24).

6. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dreifus (U.S. Patent Number 4,575,621 hereinafter “Dreifus”) in view of Reidinger et al. (Patent Number 4,915,222 hereinafter “Reidinger”) and further in view of Phil et al. (Patent Number 5,479,341 hereinafter “Reidinger”).

Claim 8 is rejected as applied above in rejecting claim 6. Furthermore, Dreifus teaches and describes a method comprising first and second device transmit and receive information to and from each other in a sealed enclosure (Dreifus Column 3 lines 59 – 66 and Column 16 lines 30 – 44). Even when combined, Reidinger and Dreifus do not explicitly teach that the enclosure is comprised of glass and the filtering material is attached to the glass. However, Pihl discloses a security apparatus wherein the enclosure is comprised of strong material (glass) and the filtering material is attached to the glass (Pihl Column 2 lines 37 – 60 and Column 3 lines 49 – 57).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement a method for first and second device to exchange data in an enclosure as taught by Dreifus and Reidinger also to have the enclosure with a filtering material to provide adequate protection against adverse external conditions as taught by Pihl. The motivation would have been to provide security for first and second device during key exchange.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks, Washington, D.C. 20231 **or**
faxed to: (703) 872-9306 for all formal communications.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Fourth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pramila Parthasarathy whose telephone number is 703-305-8912. The examiner can normally be reached on 8:00a.m. To 5:00p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Pramila Parthasarathy

Application/Control Number: 09/717,513
Art Unit: 2136

Page 22

Patent Examiner
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